

IC 20-5-28

Chapter 28. Purchase of Buildings on Land for School Purposes

IC 20-5-28-1

Purchases and improvements by school corporation; notice to taxpayers; right to appeal

Sec. 1. (a) A school corporation in Indiana may purchase buildings, lands, or lands and buildings for school purposes, and for that purpose improve the buildings or land.

(b) An existing building, other than a building obtained under IC 5-17-2 (before its repeal) or IC 4-13-1.7, permitting the purchase of suitable surplus government buildings, may not be purchased for use as a school building unless the building was originally constructed for use by the school corporation and used for that purpose for a period of five (5) years or more next preceding the acquisition as provided in this chapter.

(c) Notwithstanding any provisions in this chapter limiting the purchase of school buildings, a school corporation may purchase suitable buildings, lands, or lands and suitable buildings adjacent to school property for school purposes, and for that purpose improve the buildings or land after giving notice to the taxpayers of the intention of the school corporation to purchase. The taxpayers of the school corporation have the same right of appeal to the department of local government finance under the same procedure as provided for in IC 6-1.1-20-5 through IC 6-1.1-20-6.

(Formerly: Acts 1945, c.257, s.1; Acts 1949, c.91, s.1; Acts 1953, c.142, s.1.) As amended by P.L.2-1988, SEC.556; P.L.49-1997, SEC.52; P.L.90-2002, SEC.408.

IC 20-5-28-2

Bonds authorized; issuance procedure

Sec. 2. For the purpose of procuring funds to pay the purchase price of such building, or lands, or lands and buildings, and improving the same for school purposes, such school corporations shall have the power to issue and sell their bonds under the provisions of the general statutes governing the issuance of bonds of such school corporations. All laws relating to the filing of petitions, remonstrances, and objecting petitions, the giving of notices of the filing of petitions, determination to issue bonds, and appropriation of the proceeds of the bonds, shall be applicable to the issuance of bonds under the provisions of this chapter.

(Formerly: Acts 1945, c.257, s.2.) As amended by P.L.2-1988, SEC.557.

IC 20-5-28-3

School township and civil township bonds authorized; issuance procedure

Sec. 3. (a) If any school township whose boundaries are coterminous with the boundaries of the corresponding civil township shall have occupied as lessee for a period of five (5) years or more

a building constructed for its use as a school building, and the township board shall find that it would be to the best interests of the school township and its taxpayers for the school township to purchase such building, and that the whole amount required to pay the cost of acquisition cannot be provided by the school township on account of the constitutional debt limitation, then the township board, with the approval of the township trustee, may authorize the issuance of bonds by each of the school township and the civil township to provide funds to pay the cost of acquisition of such building.

(b) The amount of the civil township bonds shall not exceed the amount required to pay the cost of acquisition over and above the amount which can validly be financed by the school township for that purpose. The issuance of such bonds shall be authorized by separate resolutions specifying the amount, terms, and conditions of the bonds to be issued by each of said corporations, and the bonds issued shall be the separate obligations of said corporations, respectively. Such bonds shall be payable at such times and in such amounts within twenty (20) years from the date of issuance as the township board may determine, and shall otherwise be authorized, issued, and sold in accordance with the applicable general laws.

(c) The word "building" shall be construed to include the land appurtenant thereto occupied by the school township for school purposes.

(Formerly: Acts 1945, c.257, s.3.) As amended by P.L.8-1987, SEC.46.